



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF STATE COUNSEL
LITIGATION BUREAU

February 1, 2024

By ECF

Honorable Anne M. Nardacci
United States District Judge
James T. Foley U.S. Courthouse
445 Broadway
Albany, NY 12207

Re: *Variscite NY Four, et al. v. New York State Cannabis Control Board, et al.*
1:23-CV-1599 (AMN)(CFH)

Dear Judge Nardacci:

I write on behalf of Defendants to update the Court on recent events relevant to Plaintiffs' request for a preliminary injunction. As referenced in Defendants' papers in opposition, and during oral argument, the queue for December license applicants had not been set, or Plaintiffs' position in that queue determined. As set forth in the accompanying declaration of Deputy Director of Data and Research Jodi Bryon, the December applicants have now been queued and Plaintiffs, as also explained in the Bryon declaration, have been placed in that queue.

Respectfully submitted,

s/ William A. Scott
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cc: All counsel of record (via ECF)